

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America,)
)
)
) Criminal Case Number 6:20-cr-628-TMC-25
vs.)
)
)
James Robert Peterson,)
)
)
)
Defendant.)
)

ORDER

The Court is in receipt of a proposed motion and order to permit persons associated with his defense to have “free access” to him prior to trial. (ECF No. 852). The Government consents to the request. *See id.* This document was not filed but was submitted to the court via electronic mail. The court directed the same be filed and docketed on the court’s electronic filing system as a motion to allow access to the Defendant.* (ECF No. 853).

The Defendant is currently incarcerated with the South Carolina Department of Corrections. He has been charged with federal offenses including violations of 18 U.S.C. § 1962(d) and 1963(a), 18 U.S.C. § 1201(a)(1), 18 U.S.C. 1959(a)(1), 18 U.S.C. § 924(c) and 924(j)(1), 21 U.S.C. § 846, and 18 U.S.C. § 1956(h). The Defendant seeks access to persons associated with his defense counsel without the requirement that counsel be present during such meetings. The Defendant is represented by attorney William F. Nettles, IV of the Federal Public Defender’s Office and attorney Emily Paavola of Justice 360. As noted, the Government consents to the request.

* For purposes of future requests for relief, the attention of counsel is directed to Local Rule 12.01, D.S.C., which provides that all motions in criminal cases shall be filed with the court.

Based on the foregoing, it is ordered that defense investigators, paralegals, experts, and assistants retained or employed by the Defendant's attorneys named herein shall have reasonable access to the Defendant without the necessity of such attorneys being present. Accordingly, Defendant's motion (ECF No. 853) is GRANTED in part, as set forth in this order.

The court is mindful of the security concerns associated with penal institutions and the current challenges related to public health and safety measures required due to the COVID-19 pandemic. Accordingly, it shall be the responsibility of defense counsel to provide to prison officials the names and appropriate credentials for persons retained and employed by them. Additionally, such visits shall be subject to the same requirements regarding compliance with COVID-19 protocols as apply to attorney conferences employed by the facility where the Defendant is housed.

This order shall apply to any facility operated or maintained by the State of South Carolina or under contact with the United States Marshal's Service.

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

February 3, 2021
Anderson, South Carolina